



Advocates for Workplace Fairness

March 9, 2023

**Via CM/ECF**

The Honorable Gabriel W. Gorenstein  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Wood et al. v. Mike Bloomberg 2020, Inc.*, No. 20 Civ. 2489 (LTS) (GWG)

Dear Judge Gorenstein:

Along with co-counsel, we represent Plaintiffs and opt-in Plaintiffs in the above-referenced matter. We write to respond to Defendant's March 7, 2023 Letter, ECF No. 328. Plaintiffs do not oppose Defendant's request for an order from the Court compelling Ayo Tillman to respond to written discovery, with a warning that failure to do so may result in the dismissal of his FLSA claim.<sup>1</sup>

As we previously wrote, any future dismissal of Tillman's FLSA claim is not presently ripe before the Court. Plaintiffs request the opportunity to separately address the merits of any application for dismissal of Tillman's FLSA claim after Defendant actually makes such an application. Accordingly, Plaintiffs will not address Defendant's characterizations of the procedural history of the parties' discovery, but reserve the right to do so.

Respectfully submitted,

Justin M. Swartz

CC: All Record of Counsel (via ECF)

---

<sup>1</sup> In light of Plaintiffs' non-opposition, during the parties' January 5, 2023 meet-and-confer, we proposed to Defendant's counsel to handle this request by stipulation, which would have avoided the burden to the Court and the parties of preparing and reviewing unnecessary discovery dispute letters. Defendant apparently declined to agree to such an approach, and instead filed these pre-motion conference request letters with the Court two months later.